IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9389 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE AKSHAY H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JIVUBEN NAZBHAI BASHIYA

Versus

DIRECTOR OF PENSION AND PROVIDENT FUND

Appearance:

1. Special Civil Application No. 9389 of 1995

MS MITA S PANCHAL for Petitioner No. 1

MR SP HASURKAR for Respondent No. 1

NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE AKSHAY H.MEHTA

Date of decision: 19/06/2002

ORAL JUDGEMENT

The petitioner is a widow of Najabhai Dahabhai Bashiya, who was working as a Police Patel in the erstwhile state of Jasdan from 1940 to 1954. He expired in the year 1966. Since then the petitioner has been

pursuing different remedies for obtaining family pension amount. However, till this date nothing has been done by the authorities. It appears from the petition that several representations were made on earlier occasions by the petitioner for the said purpose to the concerned authority. However, she has not received reply to any of those representations. I have been informed that the petitioner is aged about 92 years and she is almost bedridden in the last phase of her life. Considering the nature of dispute, it is appropriate that the Director of Pension & Provident Fund may take into consideration the case of the petitioner and decide the same on its merits. It is therefore directed that the learned counsel appearing for the petitioner may forward a copy of this petition alongwith annexures thereto to respondent No.1 within a period of fortnight and upon receipt of the same respondent No.1 may treat it as representation from the petitioner and decide the same in accordance with law preferably on or before 31st August, 2002. Mr.Bukhari learned A.G.P. has no objection to this and hence, this petition is disposed of with aforesaid direction with no order as to costs. Rule is discharged.

19.6.2002 [Akshay H. Mehta, J.]

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